

**PART XIII**  
**JUDICIAL BRANCH**  
**OPERATING BUDGET**

**Budget Unit**

**1. Court Operations and Administration**

	<b>2004-05</b>	<b>2005-06</b>
General Fund	-0-	1,077,400

(1) **Health Insurance Funding:** Included in the above General Fund appropriation is \$1,077,400 in fiscal year 2005-2006 for health insurance, which is in addition to the amounts appropriated for this purpose in the 2004 Ky. Acts ch. 197 and 2004 (Extra. Sess.) Ky. Acts ch. 1, sec 16.

(2) **Reporting and Accounting of Receipts and Fees Collected:** Notwithstanding KRS 48.310, the following statute is amended to read as follows and shall have permanent effect, subject to future actions by the General Assembly:

Section 1. KRS 31A.010 is amended to read as follows:

- (1) A master commissioner may be appointed for each county within a judicial circuit.
  - (a) In single-judge circuits the appointment shall be made by the Circuit Judge.
  - (b) In judicial circuits with more than one (1) judge the master commissioner shall be chosen by a majority of the judges and in the event of a tie the Chief Circuit Judge shall choose from those receiving the tie vote.
- (2) The master commissioner shall be governed by such rules not inconsistent with the statutes of the Commonwealth as may be set by the Supreme Court ~~and by the court employing him~~.
- (3) The master commissioner shall serve at the pleasure of the court as follows:
  - (a) In a single-judge circuit the master commissioner shall serve at the pleasure of the Circuit Judge, but in no case shall his term exceed four (4) years without reappointment. The term of the commissioner shall automatically terminate

following the death, resignation, or permanent replacement of the Circuit Judge who appointed him.

- (b) In a judicial circuit with more than one (1) judge the master commissioner shall serve at the pleasure of the judges of the circuit, but in no case shall his term exceed four (4) years without reappointment. The master commissioner may be removed at any time by a majority vote of the judges of the circuit and in the event of a tie the decision shall be made by the Chief Circuit Judge.
- (4) *Each commissioner shall annually provide to the Administrative Office of the Courts a complete accounting for all amounts received and distributed and for all fees collected.* The master commissioner shall be compensated by fees as provided by rule of the Supreme Court. *Fees collected in excess of the authorized compensation and expenses of the master commissioner shall be remitted with the report to the Administrative Office of the Courts to inure to a trust and agency account which shall not lapse and which shall be used to hire additional deputy clerks or office personnel, to increase deputy clerk or office personnel salaries, or a combination thereof.* The Circuit Court may allow the commissioner a reasonable fee for performing judicial type functions in actions where the master commissioner does not execute a judicial sale.
- (5) The master commissioner shall maintain his office at such locations and during such hours as *authorized by rule of the Supreme Court*~~[the Chief Circuit Judge shall direct]~~.
- (6) The master commissioner shall perform such functions, including those of a receiver, as may be directed by an appropriate order of court.
- (7) The master commissioner may have such deputies and assistants, *as authorized by rule of the Supreme Court*~~[approved by order of the Chief Circuit Judge]~~, as are necessary to perform the functions of his office.
- (8) The Supreme Court may make such rules, regulations, and accounting procedures

as it may deem necessary for the appointment, conduct, and other matters relating to the master commissioner or receiver.

(3) **Circuit Court Judgeships:** Notwithstanding KRS 48.310, the following statutes are amended to read as follows and shall have permanent effect, subject to future actions by the General Assembly:

Section 1. KRS 23A.040 is amended to read as follows:

The following judicial circuits are entitled to two (2) judges and shall have two (2) numbered divisions of the Circuit Court:

(1) Fifth Judicial Circuit.

(2) Sixth Judicial Circuit.

(3) **Tenth Judicial Circuit.**

(4) Eleventh Judicial Circuit.

(5)~~[(4)]~~Twelfth Judicial Circuit.

(6) **Thirteenth Judicial Circuit.**

(7)~~[(5)]~~Fourteenth Judicial Circuit.

(8)~~[(6)]~~Eighteenth Judicial Circuit.

(9) **Twentieth Judicial Circuit.**

(10)~~[(7)]~~ Twenty-first Judicial Circuit.

(11)~~[(8)]~~ Twenty-fourth Judicial Circuit.

~~[(9) Twenty-seventh Judicial Circuit.]~~

(12)~~[(10)]~~ Thirty-second Judicial Circuit.

(13)~~[(11)]~~ Thirty-fourth Judicial Circuit.

(14)~~[(12)]~~ Thirty-seventh Judicial Circuit.

(15) **Thirty-eighth Judicial Circuit.**

(16)~~[(13)]~~ Forty-first Judicial Circuit.

(17) **Forty-second Judicial Circuit.**

(18)~~[(14)]~~ Forty-third Judicial Circuit.

~~(19)~~~~[(15)]~~ Forty-sixth Judicial Circuit.

~~(20)~~~~[(16)]~~ Fiftieth Judicial Circuit.

~~(21)~~~~[(17)]~~ Fifty-first Judicial Circuit.

**(22) Fifty-third Judicial Circuit.**

~~(23)~~~~[(18)]~~ Fifty-fourth Judicial Circuit.

**(24) Fifty-fifth Judicial Circuit.**

Section 2. KRS 23A.045 is amended to read as follows:

The following judicial circuits are entitled to three (3) Circuit Judges and shall have three (3) numbered divisions of the Circuit Court:

(1) Second Judicial Circuit.

(2) Third Judicial Circuit.

~~(3) Eighth Judicial Circuit.~~

~~(4)~~ Ninth Judicial Circuit.

~~(4)~~~~[(5)]~~ Seventeenth Judicial Circuit.

**(5) Twenty-seventh Judicial Circuit.**

(6) Twenty-eighth Judicial Circuit.

(7) Thirty-first Judicial Circuit.

(8) Thirty-fifth Judicial Circuit.

(9) Forty-eighth Judicial Circuit.

Section 3. KRS 23A.050 is amended to read as follows:

The following judicial circuits are entitled to four (4) judges and shall have four (4) numbered divisions of the Circuit Court:

(1) **Eighth Judicial Circuit.**

~~(2)~~ Sixteenth Judicial Circuit.

~~(3)~~~~[(2)]~~ Twenty-fifth Judicial Circuit.

Section 4. KRS 24A.050 is amended to read as follows:

The following judicial districts are entitled to two (2) District Judges and shall have two

(2) numbered divisions of the District Court:

(1) Second Judicial District.

(2) Third Judicial District.

(3) Fourth Judicial District.

(4) **Eighth Judicial District.**

(5) Ninth Judicial District.

(6)~~[(5)]~~ Eleventh Judicial District.

(7)~~[(6)]~~ Twelfth Judicial District.

(8)~~[(7)]~~ Thirteenth Judicial District.

(9)~~[(8)]~~ Fourteenth Judicial District.

(10)~~[(9)]~~ Fifteenth Judicial District.

(11)~~[(10)]~~ Seventeenth Judicial District.

(12)~~[(11)]~~ Twenty-first Judicial District.

(13)~~[(12)]~~ Twenty-fourth Judicial District.

(14)~~[(13)]~~ Twenty-fifth Judicial District.

(15)~~[(14)]~~ Twenty-seventh Judicial District.

(16)~~[(15)]~~ Twenty-eighth Judicial District.

(17)~~[(16)]~~ Thirty-first Judicial District.

(18)~~[(17)]~~ Thirty-second Judicial District.

(19)~~[(18)]~~ Thirty-fourth Judicial District.

(20)~~[(19)]~~ Thirty-fifth Judicial District.

(21)~~[(20)]~~ Thirty-eighth Judicial District.

(22)~~[(21)]~~ Fortieth Judicial District.

(23)~~[(22)]~~ Forty-first Judicial District.

(24)~~[(23)]~~ Forty-sixth Judicial District.

(25)~~[(24)]~~ Forty-eighth Judicial District.

(26)~~[(25)]~~ Fifty-first Judicial District.

- ~~(27)~~~~[(26)]~~ Fifty-third Judicial District.  
~~(28)~~~~[(27)]~~ Fifty-fourth Judicial District.  
~~(29)~~~~[(28)]~~ Fifty-fifth Judicial District.  
~~(30)~~~~[(29)]~~ Fifty-sixth Judicial District.

Section 5. KRS 24A.060 is amended to read as follows:

The Sixth Judicial District ~~is~~~~[following judicial districts are]~~ entitled to three (3) District Judges and shall have three (3) numbered divisions of the District Court~~[-~~:

- ~~(1) Sixth Judicial District.~~  
~~(2) Eighth Judicial District].~~

Section 6. (1) Sections 4 and 5 of this Part shall become effective on the first Monday of January, 2007.

(2) Sections 1, 2, and 3 of this Part shall become effective on July 15, 2006.

(3) For those judgeships that become effective July 15, 2006, it is the intent and desire of the General Assembly of the Commonwealth of Kentucky that those judgeships remain vacant until filled on the first Monday in January 2007, by the persons duly elected to those judgeships in the regular election held in November 2006. To effectuate this intent, the General Assembly respectfully requests that the Chief Justice, acting in his capacity as the chairman of the respective judicial nominating commissions under Section 118(2) of the Constitution of Kentucky, not call to order any meeting of a judicial nominating commission for the purpose of filling a vacancy in any circuit judgeship created in Sections 1, 2, and 3 of this Part. However, the General Assembly encourages the Chief Justice to exercise the authority granted to him by Section 110(5)(b) of the Constitution of Kentucky and assign a senior status judge to each of the new circuit judgeships created in Sections 1, 2, and 3 of this Part, except for the Eighth Judicial Circuit, to serve for the period from July 15, 2006, until the first Monday in January 2007, provided that the assigned judge not be or become a candidate for that judgeship.

#### CAPITAL PROJECTS BUDGET

**Budget Unit****1. Local Facilities Fund****a. Authorized Local Facilities Projects and Deferred Use Allowance:**

<b>Rank</b>	<b>Project</b>	<b>Project Scope</b>	<b>Maximum Annualized Use Allowance</b>	<b>Total Funds</b>
001.	Adair County	10,468,000	937,000	1,636,600
002.	Taylor County	14,806,000	1,325,000	2,300,900
003.	Laurel County	23,709,000	2,122,000	3,805,000
004.	Shelby County	18,441,000	1,651,000	2,839,100
005.	Pulaski County	22,421,000	2,007,000	3,590,400
006.	Green County	9,819,000	879,000	1,553,000
007.	Project Pool			
	Robertson County	2,229,000	199,000	405,000
	Gallatin County	2,229,000	199,000	505,000
	Pendleton County	2,228,000	199,000	489,500
008.	Washington County	11,381,000	1,019,000	1,789,000
009.	Livingston County	7,583,000	679,000	1,284,000
010.	Grant County	14,523,000	1,300,000	2,185,000
011.	Jackson County	11,034,000	987,000	1,708,200
012.	Grayson County	11,507,000	1,030,000	1,792,000
013.	Logan County	14,861,000	1,330,000	2,170,600
014.	Hart County	11,315,000	1,013,000	1,752,600
015.	Trigg County	10,224,000	914,000	1,573,100
016.	Boyd County	19,148,000	1,714,000	2,859,000

**(1) Deferred Funding:** General Fund support to provide operating support totaling \$4,114,000, annualized use allowance payments totaling \$19,504,000, and non-

recurring furniture and equipment costs totaling \$12,032,000, less off-setting payments made for existing facilities totaling \$1,412,000, for the above local facilities projects is deferred to the 2006-2008 fiscal biennium pending action of the 2006 General Assembly.

(2) **Rules of Administrative Procedure:** All court facilities projects shall comply with the Rules of Administrative Procedure of the Court of Justice; Real Property Management Guide, Part X; and KRS 26A.090 to 26A.168.

## **PART XV**

### **DRIVER'S LICENSE FEES**

Notwithstanding KRS 48.310, the following statutes are amended to read as follows and shall have permanent effect, subject to future actions by the General Assembly:

Section 1. KRS 186.531 is amended to read as follows:

- (1) The cost of operators' licenses and permits shall be as follows:
  - (a) The fee for a four (4) year original or renewal motor vehicle license shall be twenty dollars (\$20)~~eight dollars (\$8)~~;
  - (b) The fee for a four (4) year original or renewal motorcycle operator's license shall be twenty-four dollars (\$24), twelve dollars (\$12) of which shall be distributed in accordance with the provisions of subsections (2) to (4) of this section, and twelve dollars (\$12) of which shall be forwarded to the road fund. The fee for~~and~~ a combination motor vehicle-motorcycle operator's license shall be thirty dollars (\$30), eighteen dollars (\$18) of which shall be distributed in accordance with the provisions of subsections (2) to (4) of this section, and twelve dollars (\$12) of which shall be forwarded to the road fund;
  - (c) The fee for an instruction permit for a motor vehicle shall be twelve dollars (\$12) including~~two dollars (\$2) plus~~ four dollars (\$4) for preparing and acknowledging the application. Of the remaining eight dollars (\$8), two dollars (\$2) of the fee shall be distributed in accordance with the provisions



of subsections (2) to (4) of this section, and six dollars (\$6) shall be forwarded to the road fund;

- (d) The fee for an instruction permit for a motorcycle shall be twelve dollars (\$12) including~~[five dollars (\$5) plus]~~ one dollar (\$1) for preparing and acknowledging the application. Of the remaining eleven dollars (\$11), five dollars (\$5) of the fee shall be distributed in accordance with the provisions of subsections (2) to (4) of this section, and six dollars (\$6) shall be forwarded to the road fund;
  - (e) The fee for a duplicate license shall be twelve dollars (\$12), six dollars (\$6) of which shall be distributed in accordance with the provisions of subsections (2) to (4) of this section, and six dollars (\$6) of which shall be forwarded to the road fund;
  - (f) The fee for an identification card shall be twelve dollars (\$12), four dollars (\$4) of which shall be distributed in accordance with the provisions of subsections (2) to (4) of this section, and eight dollars (\$8) of which shall be forwarded to the road fund. The fee for a duplicate identification card shall be twelve dollars (\$12), two dollars (\$2) of which shall be distributed in accordance with the provisions of subsections (2) to (4) of this section, and ten dollars (\$10) of which shall be forwarded to the road fund; and
  - (g) Any applicant under the age of twenty-one (21) who meets the requirements for the issuance of a valid driver's license shall be issued a license valid until the date the applicant attains the age of twenty-one (21). The fee for the license shall be two dollars (\$2) per year for the requisite number of years as set forth herein. The applicant shall have thirty (30) days after his twenty-first birthday in which to renew his driver's license.
- (2) Except as provided in subsection (3) of this section, the circuit clerk shall deposit in the State Treasury to the credit of the general fund except as provided in paragraph

(a), paragraph (f), and paragraph (g) of this subsection fees pertaining to applications and license fees in the following manner:

- (a) Twenty-two percent (22%) of the cost for the issuance of any original and renewal license shall be deposited in a trust and agency account to the credit of the Administrative Office of the Courts and shall be used to assist circuit clerks in hiring additional employees and providing salary adjustments for employees;
- (b) One dollar (\$1) for issuance of any instruction permit;
- (c) One dollar (\$1) for preparing and acknowledging an application for an instruction permit;
- (d) One dollar and twenty-five cents (\$1.25) for preparing and acknowledging an application for a duplicate;
- (e) One dollar and twenty-five cents (\$1.25) for each identification card;
- (f) For each original or renewal license one dollar (\$1) shall be credited to a special account within the state road fund and shall be used by the Transportation Cabinet exclusively for the purpose of issuing a photo license. For each original or renewal motorcycle operator's license and each motorcycle instruction permit, four dollars (\$4) shall be credited to a special account within the state road fund and shall be used exclusively for the purpose of the motorcycle safety education program fund pursuant to KRS 186.890;
- (g) An applicant for an original or renewal motor vehicle operator's license, commercial driver's license, motorcycle operator's license, or nondriver's identification card shall be requested by the clerk to make a donation of one dollar (\$1) to promote an organ donor program. The one dollar (\$1) donation shall be added to the regular fee for an original or renewal motor vehicle operator's license, commercial driver's license, motorcycle operator's license,

or nondriver's identification card. One (1) donation may be made per issuance or renewal of a license or any combination thereof. The fee shall be paid to the circuit clerk and shall be retained by the clerk to be used exclusively for the purpose of promoting an organ donor program. Organ donation shall be voluntary and may be refused by the applicant at the time of issuance or renewal of a license; and

- (h) Three dollars (\$3) for a combination motor vehicle-motorcycle operator's license.
- (3) The following fees shall be deposited in a trust and agency account to the credit of the Administrative Office of the Courts and shall be used to assist circuit clerks in hiring additional employees, providing salary adjustments for employees, providing training for employees, and purchasing additional equipment used in administering the issuance of driver's licenses:
- (a) One dollar (\$1) for issuing of an instruction permit;
  - (b) Three dollars (\$3) for preparing and acknowledging an application for an instruction permit;
  - (c) Four dollars (\$4) for preparing and acknowledging an application for a duplicate license;
  - (d) Ten dollars (\$10) for preparing and acknowledging an application for a reinstatement fee; and
  - (e) These fees shall be in addition to other funds provided to the circuit clerk through the regular appropriation made by the General Assembly to the Administrative Office of the Courts.
- (4) The remainder of all fees, and other moneys collected by the circuit clerk shall be forwarded to road fund~~[the state]~~.

Section 2. The provisions of this Part take effect July 1, 2005.